

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
11686A

In Re Application Of: Suzanne Cory, et al.

Serial No.
09/925,674

Filing Date
August 9, 2001

Examiner
Unassigned

Group Art Unit
Unassigned

Title: NOVEL MAMMALIAN GENE, BCL-W, BELONGS TO THE BCL-2 FAMILY OF APOPTOSIS-
CONTROLLING GENES

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
2. a Notice of Allowance under 37 CFR 1.311,

whichever occurs first.

Also submitted herewith is:

- ☐ a certification as specified in 37 CFR 1.97(e);

OR

- ☐ the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

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DEC 31 2001

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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. _____) on _____ (Date).

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on November 15, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Michelle Mustafa
Typed or Printed Name of Person Mailing Correspondence

*This certificate may only be used if paying by deposit account.

Signature

Dated: November 15, 2001

Frank S. DiGiglio
Registration No. 31,346
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

CC:



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Suzanne Cory, et al.

Examiner: Unassigned

Serial No.: 09/925,674

Art Unit: Unassigned

#5

Filing Date: August 9, 2001

Docket: 11686A

For: NOVEL MAMMALIAN GENE,
BCL-W, BELONGS TO THE
BCL-2 FAMILY OF APOPTOSIS-
CONTROLLING GENES

Date: November 15, 2001

Assistant Commissioner for Patents
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following disclosures, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Boise, L. H., et al. (1993) Cell, 74:597-608;
2. Brand, S. F., et al. (1995) Gene, 154:187-192;

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on November 15, 2001.

Dated: November 15, 2001


Michelle Mustafa

3. Chittenden, T., et al. (1995) The EMBO Journal, 14:5589-5596;
4. Chittenden, T., et al. (1995) Nature, 374:733-736;
5. Cruz-Reyes, J., et al. (1995) Gene, 158:171-179;
6. Fang, W., et al. (1994) Cloning of Mouse, 4388-4398;
7. Farrow, S. N., et al. (1995) Nature, 374:731-733;
8. Gibson, L., et al. (1996) Oncogene, 13:665-675;
9. Hockenbery, D. M., et al. (1991) Proc. Natl. Acad. Sci. USA, 88:6961-6965;
10. Kiefer, M. C., et al. (1995) Nature, 374:736-739;
11. Oltvai, Z. N., et al. (1993) Cell, 74:609-619;
12. Subramanian, T., et al. (1995) Oncogene, 11:2403-2409;
13. Yin, X. M., et al. (1994) Nature, 369:321-323;
14. European Patent No. 0 252 685 A2, published January 13, 1988;
15. International Publication NO. WO 95/00642, published January 5, 1995; and
16. U.S. Patent No. 5,789,201, dated 8/1998, Guastella.

Pursuant to 37 C.F.R. §1.98(d), copies of publications are not provided, as these references were previously submitted to the Examiner in connection with the parent case, Serial Number 09/155,327, filed on September 25, 1998. Please note that Reference number 16 was cited in an Office Action from the U.S. Patent and Trademark Office dated July 17, 2000, therefore, a copy is not enclosed.

Inasmuch as this Information Disclosure Statement is being submitted prior to the issuance of the first Office Action on the merits, no fee or certification is required.

Consideration of this Information Disclosure Statement is respectfully requested.

Respectfully submitted,



Frank S. DiGiglio
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Form PTO-1449 U.S. DEPARTMENT OF COMMERCE
(REV. 7-80) PATENT AND TRADEMARK OFFICELIST OF PRIOR ART
CITED BY APPLICANT

(Use several sheets if necessary)

Atty. Docket No.
11686ASerial No.
09/925,674Applicant
Suzanne Cory, et al.Filing Date
August 9, 2001Group
Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	5,789,201	8/1998	Guastella			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	Country	CLASS	SUBCLASS	TRANSLATION
0 252 685 A2	1/13/88	EPO			YES NO
WO 95/00642	1/5/95	PCT			

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	Boise, L. H., et al. (1993) <u>Cell</u> , 74:597-608
	Brand, S. F., et al. (1995) <u>Gene</u> , 154:187-192
	Chittenden, T., et al. (1995) <u>The EMBO Journal</u> , 14:5589-5596
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	Farrow, S. N., et al. (1995) <u>Nature</u> , 374:731-733
	Gibson, L., et al. (1996) <u>Oncogene</u> , 13:665-675
	Hockenbery, D. M., et al. (1991) <u>Proc. Natl. Acad. Sci. USA</u> , 88:6961-6965
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	Oltvai, Z. N., et al. (1993) <u>Cell</u> , 74:609-619
	Subramanian, T., et al. (1995) <u>Oncogene</u> , 11:2403-2409
	Yin, X. M., et al. (1994) <u>Nature</u> , 369:321-323

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.